

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

ADENO-ASSOCIATED VIRUS - ITS DIAGNOSTIC USE WITH EARLY ABORTION

and for which a patent application:

☐ is attached hereto and includes amendment(s) filed on _____ (if applicable)
☐ was filed in the United States on _____ as Application Serial No. _____ (for declaration not accompanying application)
 with amendment(s) filed on _____ (if applicable)

☒ was filed as PCT international application Serial No. PCT/EP94/03564 on October 28, 1994 and was amended under PCT Article 19 on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
93117452.8	Europe	10/23/93	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Isaac Jarkovsky (Reg. No. 22713), Joseph V. Colaianni (Reg. No. 20019), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Cogio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebel (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jon R. Stark (Reg. No. 30111), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Albert P. Halluin (Reg. No. 25227), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), and Marcia H. Sundeen (Reg. No. 30893), all of Pennie & Edmonds, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 2730 Sand Hill Road, Menlo Park, CA 94025, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO:
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2 0 1	FULL NAME OF INVENTOR	LAST NAME Kern	FIRST NAME Andrea	MIDDLE NAME	
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2 0 2	FULL NAME OF INVENTOR	LAST NAME Kleinschmidt	FIRST NAME Jürgen	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Bammental	STATE OR FOREIGN COUNTRY Germany	COUNTRY OF CITIZENSHIP Germany	
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2 0 4	FULL NAME OF INVENTOR	LAST NAME Rabreau	FIRST NAME Michèle	MIDDLE NAME	
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2 0 5	FULL NAME OF INVENTOR	LAST NAME Schlehofer	FIRST NAME Jörg	MIDDLE NAME	
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2 0 6	FULL NAME OF INVENTOR	LAST NAME Tobiasch	FIRST NAME Edda	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Dossenheim	STATE OR FOREIGN COUNTRY Germany	COUNTRY OF CITIZENSHIP Germany	
	POST OFFICE ADDRESS	STREET Am Petrus 9	CITY Dossenheim	STATE OR COUNTRY Germany	ZIP CODE 69221

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
DATE	DATE	DATE
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE	DATE	DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: ☒ Application of: Andrea Kern, Jürgen Kleinschmidt, Karsten Geletneky, Michèle Rabreau, Jörg Schlehofer, Edda Tobiasch

☐ Patent of:

☐ Serial No.:

☐ Patent No.:

Group Art Unit: Unassigned

☒ Filed: April 29, 1996

☐ Issued:

Examiner: Unassigned

For: ADENO-ASSOCIATED VIRUS -
ITS DIAGNOSTIC USE WITH
EARLY ABORTION

Attorney Docket No.: 8484-013-999

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
[37 CFR 1.9(f) and 1.27(d)] - Nonprofit Organization

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of organization Deutsches Krebsforschungszentrum Stiftung des Öffentlichen Rechts

Address of organization Im Neuenheimer Feld 280

D-69120 Heidelberg, Germany

Type of organization

☐ University or other institution of higher education

☐ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))

☐ Nonprofit scientific or educational under statute of state of the United States of America

(Name of state _____)

(Citation of statute _____)

☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)) if located in the United States of America.

☐ Would qualify as nonprofit scientific or educational under statute of state of the United States of America if located in the United States of America

(Name of state _____)

(Citation of statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled ADENO-ASSOCIATED VIRUS - ITS DIAGNOSTIC USE WITH EARLY ABORTION by inventor(s) Andrea Kern, Jürgen Kleinschmidt, Karsten Geletneky, Michèle Rabreau, Jörg Schlehofer, Edda Tobiasch described in

☐ the specification filed herewith

☒ application serial no. _____ filed April 29, 1996

☐ patent no. _____ issued

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization identified above and/or there is an obligation under contract or law by the inventor(s) to convey rights to the nonprofit organization identified above with regard to the invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT
ORGANIZATION

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT
ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28 (b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

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Direct Telephone calls to:
PENNIE & EDMONDS
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Name of person signing _____

Title of person other than owner _____

Address of person signing _____

Signature _____

Date _____

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)